

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOEL CARTER,

Plaintiff,

v.

UNKNOWN MANDY, *et al.*,

Defendants.

Case No.: 21-11568

Mark A. Goldsmith  
United States District Judge

Curtis Ivy, Jr.  
United States Magistrate Judge

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**ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME TO  
SUBMIT WITNESS LIST (ECF No. 22)**

On April 11, 2022, the undersigned issued a Case Management Order (ECF No. 18). Parties were to submit their witness lists by July 11, 2022. (*Id.* at PageID.133). On August 24, 2022, Plaintiff moved for leave to submit his witness list out of time. (ECF No. 22). Plaintiff maintains he did not receive the Case Management Order because it was mailed to Ionia Maximum Correctional Facility while Plaintiff was incarcerated at the Gus Harrison Correctional Facility. Plaintiff further asserts the Ionia Facility failed to forward his legal mail. (*Id.* at PageID.151). For these reasons, Plaintiff asks for leave to submit his witness list out of time. In concert with this motion, Plaintiff filed his witness list. (ECF No. 23).

Federal Rule of Civil Procedure 6(b)(1) permits the court on a motion, where there is good cause, to extend the time to act if the party failed to act due to excusable neglect. Fed. R. Civ. P. 6(b)(1)(B). Since Plaintiff did not receive the Case Management Order, there is good cause to grant the relief he seeks. Accordingly, Plaintiff's motion for an enlargement of time to submit the witness list (ECF No. 22) is **GRANTED**. Plaintiff's witness list (ECF No. 23) is **DEEMED FILED**.

**IT IS SO ORDERED.**

Review of this Order is governed by Federal Rule of Civil Procedure 72 and Local Rule 72.1.

Date: August 26, 2022

s/Curtis Ivy, Jr.  
Curtis Ivy, Jr.  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 26, 2022, by electronic means and/or ordinary mail.

s/Kristen MacKay  
Case Manager  
(810) 341-7850